GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Energy, I&I Department - Installation of cable wires and fixing of rental charges for laying cables on electrical poles - Orders - Issued.

ENERGY, INFRASTRUCTURE & INVESTMENT (POWER.I) DEPARTMENT

G.O.Ms.No.15 Dated 11.06.2018
Read the following:

1. G.O.Rt.No.302, Energy (Power.II) Department, dated 22.11.2005.
2. G.O.Rt.No.111, Energy (Power.II) Department, dated 27.04.2006.

O R D E R :

The Hon'ble High Court of Andhra Pradesh in its common orders dated 13.02.2017 in the W.P.No.14159/2016, W.P.No.7058/2017, W.P.No.7122/2017 and W.P.No.7124/2017 on the issue of removal of the cable wires hanging over on electrical poles filed by cable network operators in Amalapuram and Anaparthy directed the applicants to submit representations to the Chief General Manager, Operation and the CGM, Operation is directed to consider and take a decision on the representation in accordance with Section 4B of Cable Television Networks (Regulation) Act, 1995.

2. The Chairman & Managing Director, Andhra Pradesh Southern Power Distribution Company Limited(APSPDCL) in his letter date 8.05.2018 has informed that approval was accorded during 2005 for levying penal charges for running OFC/Coaxial TV cables on DISCOMs Supports (@ Rs.20/- per support per month in Municipalities and Rs.15/- in Rural areas). Since last 13 years the penal rates were not increased so far. For arriving new rates an internal committee was constituted in Andhra Pradesh Southern Power Distribution Company Limited (APSPDCL). The committee has examined rates duly considering the whole sale price index and consumer price index, and recommended for fixing of rental charges of Rs.50/- per pole per month in Municipalities and Municipal Corporations and Rs.35/- in Mandal head quarters and rural areas.

3. The Government after careful examination of the matter and to maintain uniform procedure, discipline and accountability of cable operators and keeping in view of the recommendations of the committee hereby issues the policy frame work (enclosed) and for fixing the rental charges at Rs.50/- per pole per month in Municipalities and Municipal corporations and Rs.35/- in Mandal headquarters and rural areas. The said charges are applicable to both the Discoms in the state.

4. This order is issued with the concurrence of the Finance Department.

5. The Chairman & Managing Director, APTRANSCO, CMD/APEPDCL and CMD/APSPDCL shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chairman & Managing Director, APTRANSCO, Vijayawada.
The Chairman & Managing Director, APEPDCL, Visakhapatnam.
The Chairman & Managing Director, APSPDCL, Tirupati.
Copy to:
The P.S., to Hon'ble Minister for Energy.
The P.S., to Prl. Secretary, Energy, I&I Dept.

// Forwarded :: By Order //

SECTION OFFICER

POLICY ON RUNNING OFC/COAXIAL TV CABLES ON DISCOM SUPPORTS

It is observed that in several parts of the State Cable / OFC is being laid on the poles of Electricity Department without proper authorization, causing damage to the poles, obstruction to the Department service personnel in attending to faults or regular maintenance works, disturbance to the power supply and problems to the traffic. In this connection, the following guidelines are issued for strict compliance.

2) Approval was accorded by Distribution Companies (DISCOMs) during 2005 fixing penal charges for running OFC/Coaxial cables without any approval /permission on @20/- per support per month in Municipalities and Rs.15/- in Rural areas vide circular No.S.0.0 (O&M) 151, dated 21.11.2005.

3) These penal rates were not increased since last 13 years. For arriving new rates, an internal committee was constituted by DISCOMs. Based on 2005 rates, the committee has examined duly considering the whole sale price index and consumer price index , and recommended for fixing of rental charges at Rs.50 /- per pole per month in municipalities and Municipal corporations and Rs.35 /- in Mandal headquarters and rural areas.

4) To maintain a uniform procedure, discipline and accountability of cable operators and as per the recommendations of the committee, it is proposed to fix the rental charges at Rs.50/- per pole per month in Municipalities and Municipal corporations and Rs.35/- in Mandal headquarters and rural areas.

5) No charges shall be levied on Government/or organisations where government has majority share. This is based on the logic that most of the lands of the DISCOMS are given at nominal costs and also the right of way to lay poles in public places is given without cost.

6) APDISCOMs being IP 1 Licence holder from DoT, need to provide non-discriminatory access to licensed service provider who approaches. In view of this, any licence holder from DOT or I&B Ministry intending to use the electrical poles to lay their fiber/RF has to seek prior permission from the electricity department in the manner prescribed below:

7) The procedure to be adopted for the existing players / operators is as follows:

The Superintending Engineers of Operation circles are the Nodal Officers for implementation.

i) Within 60 days of the publication of these guidelines the agency has to make an application before the AE of the concerned area in the Proforma enclosed (duly paying the annual rental amount in advance).

ii. The AE concerned shall inspect the location, verify the possibility with reference to the strength of the poles and forward the application to the ADE concerned within 7 days of the receipt of application in full shape. if it is found that the application is not in complete shape / necessary documents are not enclosed the AE concerned should intimate the applicant within a week. Accordingly, a fresh application has to be filed by the applicant. However, application fee and the Security Deposit already paid will hold good.

iii. The ADE concerned should scrutinise the application and forward the same to DEs concerned within three working days from the receipt of application. On receipt of the application the DE concerned should verify the application and the licence details submitted and forward the same to the SE (Opns) for necessary approval.

iv. On receipt of the application SE(0) will take necessary action for approval / rejection of the application, based on the recommendations given by the subordinate officers and other technical issues. On receipt of the approval from SE concerned, AE has to prepare the estimate and convey the same to the applicant. On receipt of the payment the lease agreement will be signed by the DE concerned and the agency, the licence agreement need to be renewed every year.

8) Procedure for New Entrants:

1) Any agency intended to utilize electrical poles for cables has to make an application before the AE concerned prior to 30 days of the proposed installation in the Proforma enclosed, duly paying necessary Deposits in advance.

2) AE in turn has to forward the proposal to SE through ADE & DE and permission / rejection has to be provided within one month of the receipt of the application.

9) Guidelines and Safety aspects to be followed are in Annexures - I & II.

FORMAT FOR APPLICATION

Date:

1. Name of the applicant :

2. Name of the Company :

3. Address/Phone No. & Email :

4. Proposed location :

Village/City/Town/Mandal/District (from lat-long to lat-long)

5. No. of Poles :

6. Particulars of application fee:

DD Number :
Date :
Amount :

7. Particulars of Security Deposit paid:

DD Number :
Date :
Amount :

Encl: 1) Municipality/Panchayat approval.
2) GST Certificate
3) Postal licence copy (in case of Cable Operator)
4) ISP Licence in case of internet provider
5) undertaking on Rs.100/- stamp paper.

DECLARATION

1. I/we shall adhere to all the technical requirements and the terms of the Guide line of DISCOMS and abide by the decision of DISCOMS and any other instructions from the field officers which will be binding on us.

2. I/we, the applicant(s) individual/firm/Company Association of Persons/body of individuals do hereby declare that the above facts are true & correct in all respects and to the best of my/our knowledge.

Signature of applicant
(Individual/firm/Company Association of Persons/body of individuals)

List of Enclosures to be attached.

1) Copy of the Cable Registration
2) Copy of the certificate of incorporation
3) Joint inspection charges
4) Area Map
5) No of Electrical poles& Length.

Annexure - I

GUIDE LINES

1) The Cable TV signal transmission, broadband data communication, IP telephony (hereafter called as cable), the Agency shall produce geographical sketch/route map to DISCOM officers indicating the poles required/used and shall be jointly inspected for authentication.

2) The cable operator shall enter into an agreement with DISCOMs. The tenure of each agreement shall be for a period of one year. The agreement shall be renewed every year.

3) The agreement shall contain a clause that the cable shall invariably carry the necessary tags or name of the agency to easily identifiable.

4) The agency shall also take the responsibilities of removing the dead or unused cable at their own cost or else the DISCOM shall levy the penalty for leaving the unused cable. The field staff/officers of DISCOM shall undertake inspection of lines every quarter.

5) This process shall start with immediate effect for the licensed new cable laying agencies. The existing cable agencies shall regularise the same within 60 days from the date of the order.

6) Rental payment as decided from time to time by the DISCOMs will be for a period of one year and if there is any increase in the cost of rent, the difference is to be made good by the cable operator.

7) Before commissioning of the cable, Electrical Inspectorate approval is taken for safety check which shall be submitted to Superintending Engineers (Ele) of Circles within 2 months from the date of approval failing which the advance rental paid by the cable operator will be forfeited without further intimation.

8) The network is subjected to periodical inspection by the electrical inspector.

9) The rental is payable by the agency for the allotted no. of poles even if he does not use the allotted no. of poles.

10) In consideration of the facilities provided by the Company, the agency shall furnish a security deposit of 20% of the total amount. The security deposit will be returned only after dismantling the cable.

11) The cable operators shall strictly adhere to the safety guidelines issued by DISCOM. DISCOM also reserves the right to dismantle the cables in case of any accidents due to the same.

12) The agency alone shall be responsible for payment of compensation for the death/injury, if any caused to any person including employees of DISCOM and for loss caused to properties of any other person due to any accident that may occur by the malfunctioning /improper maintenance/non standard laying of the cable network.

13) The agency has no right to transfer/sell/assign his right under licence/sanction issued by DISCOM to draw cable to any person under any circumstance without prior permission/sanction. In case the agency transfers his right under the licence/sanction without permission, DISCOM has the right to revoke/cancel the approval issued to the agency.

14) DISCOM reserves the right to terminate the agreement even before the expiry of the term of the agreement with one month prior notice, if such continuance of the agreement is felt to be prejudicial to the interest of DISCOM or if there is any default/breach of any of the conditions or if it is found in any way detrimental to the interest of DISCOM or the State.

15) The booster amplifier used in the network shall be powered by independent DISCOM power connections. A list of power supply unit/amplifiers to be installed and connected to LT overhead line of DISCOM or LT less substation, as the case may be has to be submitted to DISCOM along with name-plate-details for ensuring the safety of installation and also energy consumption so that Separate claim bill can be served to the cable operator at 100% load factor in "Commercial" category.

16) Erection of the cables and subsequent maintenance of the network shall be carried out under the supervision of the authorised person of the utility adopting all safety precautions.

17) The commencement of drawing the cable through poles at the time of execution of such works and subsequent maintenance shall be carried out under the supervision of the jurisdictional Assistant Engineer. No such works shall be allowed on the electric poles from 6 pm to 8 am except on emergency situations. The direction given by the Assistant Divisional Engineer / Assistant Engineer in this regard shall be complied with.

18) Safety provision under Electricity Act 2003, Indian Electricity Rules 1956 and Electricity (supply)/Act 1948 shall be strictly adhered to.

19) Central Electricity Authority (measures relating to Safety and Electric Supply/ Regulations 2010 shall be strictly adhered to.

20) DISCOM reserves the right to dismantle the cables drawn through electric posts of any agency, if the conditions as per the agreement and guidelines are violated or if the required charges are not paid within the specified period.

21) Any deviation or breach of the guidelines will lead to cancellation of the agreement.

22) Agreement is to be entered between the Licensed Agency and DISCOM.

Annexure – II

SAFETY ASPECTS TO BE FOLLOWED

1) Communication / cables should not be run above the power lines. It should always be below power lines.

2) Communication / cables shall be supported by messenger wire by using Reel Insulators at 0.50 Mtrs. Interval as done for overhead service mains (as shown in the sketch).

3) The messenger wire shall be 3.05 mm, 45 Kg / Sq. mm class G.I. wire.

4) Cable tapping should not be done at pole points. Taping should be at least 2 Mtrs. away from the pole.

5) Cable should not pass through / connected to Transformer structures.

6) Minimum ground clearance shall be:

   a) Across road - 5.8 Mtrs.
   b) Along road - 3.05 Mtrs.

7) Clearance between power line and messenger line / cable shall be:

   a) When run under 11 KV line - 1.8 Mtrs.
   b) When run under LT line - 1.2 Mtrs.

8) Messenger wire termination shall be with No.8 Strain Insulators/ equivalent.

9) Messenger wire shall be properly grounded and maintained at each pole point.

10) Power supply to the booster unit should not be directly from the power lines.

11) Typical arrangement drawing and checklist enclosed.

12) Any improvement over the design & specification from safety aspects may be suggested.
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